

THE HONORABLE THOMAS S. ZILLY  
Consideration Date: March 31, 2006

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

UNITED STATES, in its own right and on )	
Behalf of the Lummi Nation, )	Case No. C01-0047Z
)	
Plaintiff, )	
)	DECLARATION OF
LUMMI INDIAN NATION, )	DEFENDANT JONN RANDEL
)	
Plaintiff-Intervenor, )	
v. )	
)	
STATE OF WASHINGTON )	
DEPARTMENT OF ECOLOGY, et al., )	
)	
Defendants. )	
)	

I, the undersigned, declare that:

1. I am over the age of 18, competent to testify, and make this declaration based on my personal knowledge.
2. I, along with Betsy Randel, was a former owner of real property located on the Lummi Reservation and legally described in the attached Quit Claim Deed.
3. As an owner of that property, I was joined as a defendant in this lawsuit.
4. On or before March 24, 2005, we sold all of our interest in our property, and conveyed it by Quit Claim Deed to Hutzpah Holdings, LLC, as shown on the attached deed.

DECLARATION OF DEFENDANT RANDEL  
C01-0047Z PAGE 1

**BRETT & DAUGERT, PLLC**  
ATTORNEYS AT LAW  
300 NORTH COMMERCIAL ♦ P.O. BOX 5008  
BELLINGHAM, WA 98227-5008  
TELEPHONE: (360) 733-0212 ♦ FAX: (360) 738-2341  
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5. The sale was concluded on or before that date, and the attached Quit Claim Deed was submitted to the Whatcom County Auditor's Office and recorded under Auditor's File No. 2050304491.

6. I confirm that the buyer in this sale was informed of this litigation prior to purchasing the property.

7. I have no ownership or other interest in any real property on the Lummi Reservation.

I declare under penalty of perjury under the laws of Washington that the foregoing is true and correct.

Executed on this 27<sup>th</sup> day of November, 2005, at Richmond, British Columbia, Canada.

John Randel  
John Randel

DECLARATION OF DEFENDANT RANDEL  
C01-0047Z PAGE 2

BRETT & DAUGERT, PLLC

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2050304491  
Page: 1 of 2  
3/25/2005 11:53 AM  
DEED 020.00  
Whatcom County, WA  
Request of: LUDWIGSON, THOMPSON, HAYES

After recording return to:

LUDWIGSON, THOMPSON, HAYES & BELL  
119 N. Commercial, Suite #170  
Bellingham, WA 98227

**QUIT CLAIM DEED**

The Grantor, JONN RANDEL and BETSY RANDEL, husband and wife, for and in consideration of Ten Dollars and other good and valuable consideration conveys and quit claims to HUTZPAH HOLDING L.L.C., the following described real estate, situate in the County of Whatcom, State of Washington:

**PARCEL A:**

Abbreviated Legal: "Lot 27-5 1/2 of Lot 28, Blk 2, Exc ptn DAF, beg at SE corner of Lot 27". (See Exhibit A of page 2 herein for full legal description)

**PARCEL B:**

Abbreviated Legal: "Lot 4, Blk 2 - Ptn DAF - beg at SW corner of Lot 4". (See Exhibit B of page 3 herein for full legal description)

Tax Parcel Numbers: 3710102 345055 0000

DATED this 24 day of March, 2005.

Jonn Randel  
Jonn Randel

Betsy Randel  
Betsy Randel

PROVINCE OF BRITISH COLUMBIA )  
7 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this day personally appeared before me JONN RANDEL and BETSY RANDEL, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 24 day of March, 2005.

MARIE LOUISE FAST (STOLZ)  
SOLICITOR & NOTARY  
8171 ACKROYD RD.  
RICHMOND, B.C. V6X 3K1  
Phone: (604) 273-6424

NOTARY PUBLIC in and for the Province of  
British Columbia, residing at \_\_\_\_\_  
B.C.

EXHIBIT A

THE SOUTH HALF OF LOT 3, AND ALL OF LOT 4, AND THE SOUTH HALF OF LOT 28, AND ALL OF LOT 27, EXCEPT THE WESTERLY 120 FEET THEREOF, BLOCK 2, PLAT OF PEPA HOWA ILLAHA, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 30, RECORDS OF WHATCOM COUNTY, WASHINGTON, TOGETHER WITH THE WESTERLY 120 FEET OF LOT 27, AND THE WESTERLY 120 FEET OF THE SOUTH HALF OF LOT 28, BLOCK 2, PLAT OF PEPA HOWA ILLAHE, WHATCOM COUNTY, WASHINGTON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 30, RECORDS OF WHATCOM COUNTY, WASHINGTON. EXCEPT RIGHT-OF-WAY FOR LUMMI SHORE ROAD LYING ALONG THE WESTERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.